

Prob12C
(8/01)

UNITED STATES DISTRICT COURT
for the
Eastern District of Oklahoma

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Penick, Troy Dewayne Case Number: CR-11-0017-001-Raw

Name of Judicial Officer: The Honorable Ronald A. White

Date of Original Sentence: September 7, 2011

Original Offense: Failure to Register as Sex Offender

Original Sentence: 37 months custody, with 60 months term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: October 16, 2020

Asst. U.S. Attorney: Shannon Henson Defense Attorney: To be determined

PETITIONING THE COURT

To issue a warrant

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition **The defendant shall not commit another federal, state or local crime.**

According to the information filed in Atoka County District Court, Oklahoma, on or about the 14th day of December 2020, Mr. Penick was driving and operating a motor vehicle upon a public highway. Atoka Police Officer Cody Poe attempted to stop Mr. Penick, who was driving a 2006 Nissan Sentra with no brake light. Mr. Penick accelerated to elude the officer. As a result of his actions he was arrested and subsequently charged with Count 1: Eluding / Attempting to Elude Police Officer; Count 2: Resisting an Officer, case number CF-2020-195. On December 29, 2020,

Mr. Penick was released on his own recognizance and was required to obtain medical clearance and report into an inpatient substance abuse treatment facility. Mr. Penick failed to obtain the medical clearance and failed to report into an inpatient substance abuse treatment facility. On January 20, 2021, a failure to appear warrant was issued and bond is set at \$25,000.

Mandatory Condition **The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.**

On October 28, 2020, submitted a urine sample which tested positive for Methamphetamine. Mr. Penick admitted to using Methamphetamine on October 25, 2010.

Standard Condition **The defendant shall not leave the judicial district without the permission of the court of probation officer.**

On January 19, 2021, Mr. Penick called this officer stating that he was in Springfield, Missouri, trying to pick-up his stimulus check at the halfway house. Mr. Penick admitted to leaving the district without permission. Mr. Penick was instructed to immediately return to the district.

Standard Condition **The defendant shall answer truthfully all inquiries by the probation officer and follow the instruction of the probation officer.**

On January 25, 2021, Mr. Penick called this officer stating that he was still in Springfield, Missouri, trying to get his stimulus check.

U.S. Probation Officer Recommendation:

The term of supervision should be
 Revoked

Reviewed and approved,

by: s/ Robert L. Gwin

Robert L. Gwin
Supervisory U. S. Probation Officer
Date: January 28, 2021

Respectfully submitted,

by: s/ Brian H. Hill

Brian H. Hill
Sr. U.S. Probation Officer
Date: January 28, 2021

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

Dated this 28th day of January, 2021.



Ronald A. White
United States District Judge
Eastern District of Oklahoma